

Appin. No. 10/786,732

Amendment dated May 26, 2008

Reply to office Action of March 22, 2008

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A bottle stopper device for use with a bottle comprising:

a cylindrical body formed of a flexible, elastic, resilient material and having a lower portion at a first end, and an upper portion at a second end, ~~a first cylindrical section, and a second cylindrical section;~~

~~the first cylindrical section~~ lower portion having a length and adapted to be inserted into an opening of a bottle in sealing engagement with the bottle;

~~the second cylindrical section~~ upper portion having a length and disposed adjacent the first cylindrical section for extending above the opening of the bottle when the first cylindrical section is inserted in sealing engagement with the bottle, wherein the upper portion defines a pour opening composed of a plurality of substantially uniformly disposed apertures;

an air passageway disposed adjacent to, and extending longitudinally beyond the length of, ~~said first cylindrical section~~ lower portion in a direction away from said ~~second cylindrical section and upper portion~~ along the internal periphery of said cylindrical body, wherein said air passageway is substantially encircled by said plurality of apertures; and

a visual indicator disposed on an outer surface of said second cylindrical section for identifying the relative location of said air passageway with respect to said visual indicator.

2. (Original) The device of claim 1 wherein said visual indicator is positioned on the second end and on the ~~second cylindrical section~~ upper portion of said cylindrical body.